

# RULE TRANSMITTAL

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-14.040  
 Diskette File Name Orders of Rulemaking - Chapter 14 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☐ amendment ☒ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-14.040 - Filing of Promotion Practices**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 14 – Utility Promotional Practices**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.040, 386.610, 393.140 and 386.250, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

**4 CSR 240-14.040 Filing of Promotional Practices is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1639-1640). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

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**Secretary of State**  
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**RULE TRANSMITTAL**

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**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.025  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037. RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

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| <input type="checkbox"/> Forms, number of pages _____          | <input type="checkbox"/> Private cost                                 |
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- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
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## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text? \_\_\_\_\_

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
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<http://www.psc.state.mo.us>  
January 23, 2003

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Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.025 - Utility Company Tariff Filings Which Create Cases**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT****Division 240 – Public Service Commission****Chapter 3 – Filing and Reporting Requirements****ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.025 Utility Company Tariff Filings Which Create Cases is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1580-1581). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



\*Administrative Rules Stamp

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
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JAN 23 2003

# SECRETARY OF STATE ADMINISTRATIVE RULES

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking. —

A. Rule Number Chapter 4 CSR 240-3.190

Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date** \_\_\_\_\_
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- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

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JCAR Stamp

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Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

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Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.190 - Electric Utility Reporting Requirements**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr  
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.190 Electric Utility Reporting Requirements is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1596-1597). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission received written comments from one entity regarding this proposed rule. The comments focused on the addition of the term "electronic communication" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments regarding this proposed rule noted the addition of "electronic communication" as an acceptable means of reporting certain events to the Commission, commended the Commission for this addition and stated its understanding that this term encompasses both facsimile and e-mail.

**RESPONSE:** The commission notes that the term "electronic communication" encompasses not only facsimile transmissions and e-mail messages, but also includes submissions made via the commission's electronic filing and information system. No changes have been made to the proposed rule as a result of these comments.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

\*Administrative Rules Stamp

JAN 23 2003

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A. Rule Number Chapter 4 CSR 240-10.070  
 Diskette File Name Orders of Rulemaking - Chapter 10 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
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<input checked="" type="checkbox"/>	This transmittal completed	<input type="checkbox"/>	Incorporation by reference materials, if any
<input checked="" type="checkbox"/>	Cover letter	<input type="checkbox"/>	Authority with history of the rule
<input type="checkbox"/>	Affidavit	<input type="checkbox"/>	Public cost
<input type="checkbox"/>	Forms, number of pages ____	<input type="checkbox"/>	Private cost
<input type="checkbox"/>	Fiscal notes	<input type="checkbox"/>	Hearing and comment period

☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date** \_\_\_\_\_

☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission

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\_\_\_\_\_

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**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

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☐ YES

☒ NO

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DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-10.070 - Minimum Filing Requirements for General Rate Increase Requests**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

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200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
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Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240 – Public Service Commission**  
**Chapter 10 – Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 392.210 and 392.220, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

**4 CSR 240-10.070 Minimum Filing Requirements for General Rate Increase Requests is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1638). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



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**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-10.080  
 Diskette File Name Orders of Rulemaking - Chapter 10 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
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| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☐ amendment ☒ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

*(continued)*

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change  
in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-10.080 - Annual Report Filing Requirements**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 10 - Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 392.210 and 393.140, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

**4 CSR 240-10.080 Annual Report Filing Requirements is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1638-1639). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication of the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



**RULE TRANSMITTAL (PAGE 2)**

---

**E. ORDER OF RULEMAKING: Rule Number** \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

- F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

**NOTE:** ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
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573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-13.055 - Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

*Informed Consumers, Quality Utility Services, and a Dedicated Organization for Missourians in the 21st Century*

**Title 4 -- DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240 -- Public Service Commission**  
**Chapter 13 -- Service and Billing Practices for Residential**  
**Customers of Electric, Gas and Water Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250, 393.130 and 393.140, RSMo 2000, as currently supplemented, the commission amends a rule as follows:

**4 CSR 240-13.055** Cold Weather Maintenance of Service: Provision of  
Residential Heat-Related Utility Service During Cold Weather **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1639). No changes have been made in the text of the proposed amendment, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



# RULE TRANSMITTAL

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-20.010  
 Diskette File Name Orders of Rulemaking - Chapter 20 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☐ amendment ☒ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text? \_\_\_\_\_

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-20.010 - Rates Schedules**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 20 – Electric Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 393.140, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

**4 CSR 240-20.010 Rate Schedules is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1640). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-20.030  
 Diskette File Name Orders of Rulemaking - Chapter 20 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☒ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

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Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
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January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-20.030 - Uniform System of Accounts – Electrical Corporations**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 20 – Electric Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission amends a rule as follows:

**4 CSR 240-20.030 Uniform System of Accounts – Electrical Corporations is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1640-1641). No changes have been made in the text of the proposed amendment, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
RULE TRANSMITTAL

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-20.060

Diskette File Name Orders of Rulemaking - Chapter 20 Rules Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. **CHECK, IF INCLUDED:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

C. **RULEMAKING ACTION TO BE TAKEN**

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☒ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

JCAR Stamp

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

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JEFFERSON CITY, MISSOURI 65102  
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573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-20.060 - Cogeneration**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 20 – Electric Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission amends a rule as follows:

**4 CSR 240-20.060 Cogeneration is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1641-1644). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-20.070 - Decommissioning Trust Funds**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 20 – Electric Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.292, RSMo 2000, as currently supplemented, the commission amends a rule as follows:

**4 CSR 240-20.070 Decommissioning Trust Funds is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1644-1645). No changes have been made in the text of the proposed amendment, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**  
**JAN 23 2003**  
**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**



\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

- B. CHECK, IF INCLUDED:**

- ### C. RULEMAKING ACTION TO BE TAKEN

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

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JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

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Executive Director  
WESS A. HENDERSON  
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ROBERT SCHALLENBERG  
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DONNA M. PRENGER  
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DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-20.080 - Electrical Corporation Reporting Requirements for Certain Events**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 20 – Electric Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 393.140, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

**4 CSR 240-20.080 Electrical Corporation Reporting Requirements for Certain Events is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1646). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

RECEIVED

# SECRETARY OF STATE ADMINISTRATIVE RULES

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text? \_\_\_\_\_

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for Amendment to 2.060

Section (9) of the current rule is not being deleted as originally proposed in the amendment. This results in a renumbering of the subject rule in accordance with section (9) remaining in the rule. As originally proposed in the amendment, the subject rule would have been renumbered to include sections (1) thru (5). With the change being made to the amendment, the subject rule will now include sections (1) thru (6), with section (3) of the rule being what was originally section (9). Additionally, references to applicable provisions of 4 CSR 240-3 have been added to what was originally section (9) and is now section (3).

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
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SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

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January 23, 2003

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Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-2.060 - Applications**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr  
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 2 – Practice and Procedure**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under sections 386.250, and 386.410, RSMo, as currently supplemented, the commission amends a rule as follows:

**4 CSR 240-2.060 Applications is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1576-1578). Those sections with changes are reprinted here. The proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission did not receive any written comments specifically addressing this proposed amendment, but did receive written comments from one entity pertaining to proposed rules in 4 CSR 240-3 that are related to one portion of this amendment. The comments focused on the use of the term "purchaser" in the subject proposed rules, which is a term that is also used in what is currently section (9) of 4 CSR 240-2.060. The period for receiving written comments on this proposed amendment ended on October 16, 2002. The commission held a public hearing on this proposed amendment on October 25, 2002, but received no comments regarding the amendment at that hearing.

**COMMENTS:** The commenter stated the opinion that it is inappropriate for the commission to use the term "purchaser" in the context of rules in 4 CSR 240-3 pertaining to transactions such as mergers and consolidations, because there is no purchaser in such transactions.

**RESPONSE AND EXPLANATION OF CHANGE:** While reviewing the comments to 4 CSR 240-3, the commission determined that taking action to correct terms as proposed by the commenter, even though technically appropriate, could be considered a substantive change. Because the commission had stated during the rulemaking process that it would make no substantive changes to its current rules, the commission determines that no changes will be made to the current text. The commission will, however, begin a new rulemaking process to address the issue raised by the commenter. The commission has also determined that it is not appropriate to delete section (9) from rule 2.060. Therefore, the commission will change the proposed amendment to avoid deletion of section (9) of 4 CSR 240-2.060 in that rule. The commission will also renumber the remaining sections and make reference to the appropriate newly promulgated rules in 4 CSR 240-3 as shown below.

**4 CSR 240-2.060 Applications**

(3) If the purchaser under the provisions of 4 CSR 240-3.110, 4 CSR 240-3.115, 4 CSR 240-3.210, 4 CSR 240-3.215, 4 CSR 240-3.310, 4 CSR 240-3.315, 4 CSR 240-3.405, 4 CSR 240-3.410, 4 CSR 240-3.520, 4 CSR 240-3.525, 4 CSR 240-3.605 or 4 CSR 240-3.610 is not subject to the jurisdiction of the commission, but will be subject to the commission's jurisdiction after the sale, the purchaser must comply with these rules.

(4) In addition to the requirements of section (1), applications for variances or waivers from commission rules and tariff provisions, as well as those statutory provisions which may be waived, shall contain information as follows:

- (A) Specific indication of the statute, rule or tariff from which the variance or waiver is sought;
- (B) The reasons for the proposed variance or waiver and a complete justification setting out the good cause for granting the variance or waiver; and
- (C) The name of any public utility affected by the variance or waiver.

(5) A name change may be accomplished by filing the items below with a cover letter requesting a change of name. Notwithstanding any other provision of these rules, the items required herein may be filed by a nonattorney. Applications for approval of a change of name shall include:

- (A) A statement, clearly setting out both the old name and the new name;
- (B) Evidence of registration of the name change with the Missouri secretary of state; and



(C) Either an adoption notice and revised tariff title sheet with an effective date which is not fewer than thirty (30) days after the filing date of the application, or revised tariff sheets with an effective date which is not fewer than thirty (30) days after the filing date of the application.

(6) In addition to the general requirements set forth above, the requirements found in Chapter 3 of the commission's rules pertaining to the filing of various types of applications must also be met.

# **RULE TRANSMITTAL**

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-21.010  
 Diskette File Name Orders of Rulemaking - Chapter 21 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages ____           | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☐ amendment ☒ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

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January 23, 2003

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DONNA M. PRENGER  
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DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-21.010 - Schedule of Fees**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr  
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240 – Public Service Commission**  
**Chapter 21 – Electric Service Territorial Agreements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 394.312 and 386.800, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

**4 CSR 240-21.010 Schedule of Fees is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1646). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

**RECEIVED**  
 \*Administrative Rules Stamp

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-2.200  
 Diskette File Name Orders of Rulemaking - Chapter 2 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages ____           | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☐ amendment ☒ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days  
Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES ☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Commissioners  
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Chair  
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BRYAN FORBIS

## Missouri Public Service Commission

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Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-2.200 - Small Company Rate Increase Procedure**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette



**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 240 – Public Service Commission**

**Chapter 2 – Practice and Procedure**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.410, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

**4 CSR 240-2.200 Small Company Rate Increase Procedure is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the Missouri Register on September 16, 2002 (27 MoReg 1578). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.020 - Filing Requirements Regarding Utility Company Name Changes**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240 – Public Service Commission**  
**Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.020 Filing Requirements Regarding Utility Company Name Changes is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1580). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY  
ADMINISTRATIVE SERVICES**

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.030  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.030 - Minimum Filing Requirements for Utility Company  
General Rate Increase Requests**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette



**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.030** Minimum Filing Requirements for Utility Company General Rate Increase Requests is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1581-1582). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

JCAR Stamp

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

**Summary of Changes for 3.100**

This rule has been modified to delete two definitions originally included in the rule. Specifically, the definitions of affiliated entity and affiliate transaction, which were originally included as sections (2) and (3), respectively, have been deleted. Accordingly, this required a renumbering of the remaining sections of the rule. This rule originally consisted of sections (1) thru (18), but now consists of sections (1) thru (16).

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.100 - Definitions Pertaining Specifically to Electric Utility Rules**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY  
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.100 Definitions Pertaining Specifically to Electric Utility Rules is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1582-1583). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission received written comments from one entity regarding this proposed rule. The comments focused on the inclusion of definitions of terms that are not used in other rules. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted written comments regarding this proposed rule noted in its comments that this rule contains the definitions of certain terms that are not actually used in other rules, and suggested that the definition of any term that is not used in other rules should be removed from this rule. Specifically, the comments suggest that the definitions of terms such as affiliate, affiliated entity, affiliate transaction, avoided costs and control be removed.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission notes that it agrees with the suggestion that any unused definitions should be removed from the proposed rule. The commission also notes, however, that the terms affiliate, avoided costs and control are used in other definitions in rule 3.100 an/or in rules in the 3.105 thru 3.190 "block". As a result, the definitions of these terms will not be removed as suggested. Based on the above, the commission is removing any unused definitions from the proposed rule and renumbering the remaining definitions accordingly.

**4 CSR 240-3.100 Definitions Pertaining Specifically to Electric Utility Rules**

(1) Affiliate means any person who, directly or indirectly, controls or is controlled by or is under common control with an electric utility.

(2) Appliance or equipment means any device which consumes electric energy and any ancillary device required for its operation.

(3) Avoided costs means the incremental costs to an electric utility of electric energy or capacity or both which, but for the purchase from the qualifying facility or qualifying facilities, that utility would generate itself or purchase from another source.

(4) Consideration shall be interpreted in its broadest sense and shall include any cash, donation, gift, allowance, rebate, discount, bonus, merchandise (new or used), property (real or personal), labor, service, conveyance, commitment, right or other thing of value.

(5) Control (including the terms "controlling," "controlled by," and "common control") means the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one or more other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of ten percent (10%) or more of voting securities or partnership interest of an entity constitutes control for purposes of this rule. This provision, however, shall not be construed to prohibit a regulated electrical corporation from rebutting the presumption that its ownership interest in an entity confers control.

(6) Cost-effective means that the present value of life-cycle benefits is greater than the present value of life-cycle costs to the provider of an energy service.

(7) Decommissioning means those activities undertaken in connection with a nuclear generating unit's retirement from service to ensure that the final removal, disposal, entombment or other disposition of the unit and of any radioactive components and materials associated with the unit, are accomplished in compliance with all applicable laws, and to ensure that the final disposition does not pose any undue threat to the public health and safety. Decommissioning includes the removal and disposal of the structures, systems and components of a nuclear generating unit at the time of decommissioning.

(8) Decommissioning costs means all reasonable costs and expenses incurred in connection with decommissioning, including all expenses to be incurred in connection with the preparation for decommissioning, including, but not limited to, engineering and other planning expenses; and to be incurred after the actual decommissioning occurs, including, but not limited to, physical security and radiation monitoring expenses, less proceeds of insurance, salvage or resale of machinery, construction equipment or apparatus the cost of which was charged as a decommissioning expense.

(9) Demand-side resource means any inefficient energy-related choice that can be influenced cost-effectively by a utility. The meaning of this term shall not be construed to include load-building program.

(10) Energy service means the need that is served or the benefit that is derived by the ultimate consumer's use of energy.

(11) Inefficient energy-related choice means any decision that causes the life-cycle cost of providing an energy service to be higher than it would be for an available alternative choice.

(12) Load-building program means an organized promotional effort by a utility to persuade energy-related decision makers to choose the form of energy supplied by that utility instead of other forms of energy for the provision of energy service or to persuade customers to increase their use of that utility's form of energy, either by substituting it for other forms of energy or by increasing the level or variety of energy services used. This term is not intended to include the provision of technical or engineering assistance, information about filed rates and tariffs or other forms of routine customer service.

(13) Promotional practices means any consideration offered or granted by an electric utility or its affiliate to any person for the purpose, express or implied, of inducing the person to select and use the service or use additional service of the utility or to select or install any appliance or equipment designed to use the utility service, or for the purpose of influencing the person's choice or specification of the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures. The term promotional practices shall not include the following activities:

(A) Making any emergency repairs to appliances or equipment of customers;

(B) Providing appliances or equipment incidental to demonstrations of sixty (60) days or less in duration;

(C). Providing light bulbs, street or outdoor lighting service, wiring, service pipe or other service equipment or appliances, in accordance with tariffs filed with and approved by the commission;

(D) Providing appliances or equipment to an educational institution for the purpose of instructing students in the use of the appliances or equipment;

(E) Merchandising appliances or equipment at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and financing; provided that the merchandising shall not violate any prohibition contained in 4 CSR 240-14.020;

(F) Inspecting and adjusting of appliances or equipment by an electric utility;

(G) Repairing and other maintenance to appliances or equipment by an electric utility if charges are at cost or above;

(H) Providing free or below-cost energy audits or other information or analysis regarding the feasibility and cost-effectiveness of improvements in the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures;

(I) Offering to present or prospective customers by an electric utility technical or engineering assistance; and

(J) Advertising or publicity by an electric utility which is under its name and on its behalf and which does not in any manner, directly or indirectly, identify, describe, refer to, mention or relate to any architect, builder, engineer, subdivider, developer or other similar person, or which mentions no less than three (3) existing projects, developments or subdivisions.

(14) Purchase means the purchase of electric energy or capacity or both from a qualifying facility by an electric utility.

(15) Qualifying facility means a cogeneration facility or a small power production facility which is a qualifying facility under Subpart B of Part 292 of the Federal Energy Regulatory Commission's (FERC) regulations.

(16) Sale means the sale of electric energy or capacity or both by an electric utility to a qualifying facility.

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.110  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change  
 in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.110 - Filing Requirements for Electric Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.110 Filing Requirements for Electric Utility Applications  
for Authority to Sell, Assign, Lease or Transfer Assets is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1584). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

# RULE TRANSMITTAL

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.110  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change  
 in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.110 - Filing Requirements for Electric Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.110 Filing Requirements for Electric Utility Applications  
for Authority to Sell, Assign, Lease or Transfer Assets is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1584). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.115  
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
Name of Person to call with questions about this rule:  
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
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## B. CHECK, IF INCLUDED:

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| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

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\_\_\_\_\_

JCAR Stamp

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Add additional sheet(s), if more space is needed.



**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
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573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.115 - Filing Requirements for Electric Utility Applications for Authority to Merge or Consolidate**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF  
ADMINISTRATIVE HULLS

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.115 Filing Requirements for Electric Utility  
Applications for Authority to Merge or Consolidate is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1584-1585). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission received written comments from one entity regarding this proposed rule. The comments focused on the use of the term "purchaser" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments regarding this proposed rule stated the opinion that it is inappropriate for the commission to use the term "purchaser" in this rule, since the rule pertains to utility mergers and consolidations and there is no "purchaser" in such situations.

**RESPONSE:** The commission notes that the use of the referenced term comes from an existing rule related to this topic, and that in the interest of not making changes that could be considered substantive when comparing the existing rule and this proposed rule, the term "purchaser" was used in the proposed rule. While the commission agrees with the gist of the comments, it continues to be concerned that any changes to the subject language in the proposed rule could be considered substantive. Based on the foregoing, the commission is not making any changes to the proposed rule at this time.

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.115  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days  
Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES ☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.115 - Filing Requirements for Electric Utility Applications for Authority to Merge or Consolidate**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF  
ADMINISTRATIVE HULLS

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.115 Filing Requirements for Electric Utility  
Applications for Authority to Merge or Consolidate is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1584-1585). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission received written comments from one entity regarding this proposed rule. The comments focused on the use of the term "purchaser" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments regarding this proposed rule stated the opinion that it is inappropriate for the commission to use the term "purchaser" in this rule, since the rule pertains to utility mergers and consolidations and there is no "purchaser" in such situations.

**RESPONSE:** The commission notes that the use of the referenced term comes from an existing rule related to this topic, and that in the interest of not making changes that could be considered substantive when comparing the existing rule and this proposed rule, the term "purchaser" was used in the proposed rule. While the commission agrees with the gist of the comments, it continues to be concerned that any changes to the subject language in the proposed rule could be considered substantive. Based on the foregoing, the commission is not making any changes to the proposed rule at this time.

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.120  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
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## B. CHECK, IF INCLUDED:

- |  |   |
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## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
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**MUST** complete page 2 of this transmittal
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- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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JCAR Stamp

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Add additional sheet(s), if more space is needed.



**RULE TRANSMITTAL (PAGE 2)**

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**E. ORDER OF RULEMAKING: Rule Number** \_\_\_\_\_

**1a. Effective Date for the Order**

☒ Statutory 30 days

Specific date \_\_\_\_\_

**1b. Does the Order of Rulemaking contain changes to the rule text?**

☐ YES

☒ NO

**1c. If the answer is YES, please complete section F. If the answer is NO, STOP here.**

**F.** Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
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## Missouri Public Service Commission

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DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.120 - Filing Requirements for Electric Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

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Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250 as currently supplemented, the commission adopts a rule as follows:

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**4 CSR 240-3.120 Filing Requirements for Electric Utility Applications for Authority  
to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1585). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

# RULE TRANSMITTAL (

\*Administrative Rules Stamp

**RECEIVED**

JAN 23 2003

SECRETARY OF STATE  
ADMINISTRATIVE RULES

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.125  
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
Name of Person to call with questions about this rule:  
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

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E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.125 - Filing Requirements for Electric Utility Applications for Authority to Acquire the Stock of a Public Utility**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

A handwritten signature in cursive script, reading "Dale Hardy Roberts".

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr  
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

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JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE  
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.125** Filing Requirements for Electric Utility Applications  
for Authority to Acquire the Stock of a Public Utility **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1585-1586). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.